

MOTION BY SUPERVISOR MARK RIDLEY-THOMAS

JUNE 4, 2013

IHSS Wage Increase Approval

On November 15, 2012, Los Angeles County (County) submitted a request to the California Department of Social Services (CDSS) for approval of a wage increase from \$9.00 to \$9.65 per hour for In-Home Supportive Service (IHSS) providers. The request was contingent upon the State's agreement to continue paying its share of the increase, notwithstanding the resolution of pending litigation regarding the cap on the State's financial contribution. CDSS declined to approve the \$9.65 wage rate and instead approved the current rate of \$9.50.

In March, the State reached a settlement of the lawsuit that precluded the State's implementation of the wage cap provision that limited the ability of the State to approve the wage rate of \$9.65 per hour as authorized by this Board of Supervisors. The settlement provided that the statute would be amended to repeal the State's cap on its contribution for wages and benefits to IHSS providers and legislation. Legislation was enacted on May 30, 2013 (Senate Bills 67 and 68) effectuating the terms of the

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settlement, including elimination of the cap on the State's contribution for IHSS wages and benefits.

Applicable state law provides that whenever an increase in IHSS wages or benefits is negotiated, the State must approve the increase in order for a county to qualify for federal or State funding participation. The law further provides that an approved rate change becomes effective the first day of the month following the State's approval.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

Direct the Chief Executive Officer (CEO) to immediately submit two requests to the California Department of Social Services (CDSS) for expedited consideration and approval of an increase in the In-Home Supportive Service (IHSS) provider wage from \$9.50 to \$9.65 per hour as follows:

- 1) The first request shall make the IHSS provider wage retroactive to January 1, 2013 contingent upon the State's payment of its traditional 65% share; and
- 2) In the event that the State is unable to accommodate a retroactive increase to January 1, 2013, the CEO shall submit a second request for approval for the same IHSS wage increase from \$9.50 to \$9.65 so that the increase is effective no later than July 1, 2013.

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